UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 2 1 2017

REPLY TO THE ATTENTION OF
WC-15J

CERTIFIED MAIL 7009 1680 0000 7646 0552
RETURN RECEIPT REQUESTED

Ex. 6. (Personal Privacy) Owner
Ex. 6 (Personal Privacy) Farms, Ltd.
Ex. 6 (Personal Privacy)

Re: Administrative Order Docket No. V-W-11-AO-05

Dear Ex. 6. (Personal Privacy):

Based on the information you have provided regarding the requirements of the Administrative Order (AO) and the compliance inspection conducted on September 28, 2016, the U.S. Environmental Protection Agency believes that you have satisfied the terms of AO V-W-11-AO-05. EPA anticipates no further action on the noncompliance EPA observed during the October 2010 inspection and considers the AO to be closed. Thank you for your efforts to protect water quality. If you have any questions on this matter, please contact Joan Rogers of my staff at (312) 886-2785.

Sincerely,

Christopher Korleski
Director, Water Division

Enclosure

cc: Jim Miles, IEPA
Bruce Rodely, IEPA
Brian Rodely, IEPA

CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5

Purpose:
Compliance Evaluation Inspection

Facility:
Ex. 6 (Personal Privacy) Farms, Ltd.
Ex. 6 (Personal Privacy)

NPDES Permit Number:
N/A

Date of Inspection:
September 28, 2016

EPA Representatives:
Joan Rogers, Environmental Scientist 312-886-2785

State Representatives:
Mr. Bruce Rodely 618-993-7200
Bruce.rodely@illinois.gov

Mr. Brian Rodely 618-993-7200
Brian.rodely@illinois.gov

Facility Representatives:
Ex. 6. (Personal Privacy) Owner
Ex. 6. (Personal Privacy)

Report Prepared by:
Joan Rogers, Environmental Scientist

Report Date:
March 28, 2017

Inspector Signature and Date: Joan Rogers 3/28/17

Approver Signature: Bruce Rodely

Approval Date: 4/19/17

1. BACKGROUND

The purpose of this report is to describe, evaluate and document the [redacted] Farms' compliance with the Clean Water Act (CWA) at its Breese, Illinois facility on September 28, 2016. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

The [redacted] Farms facility is a medium dairy operation due to the number of mature dairy cattle at the site. Surface flow at the site would flow to the north about a quarter of a mile and to an intermittent tributary. The unnamed tributary flows approximately 3.18 miles before it reaches the perennial Shoal Creek.

On October 26, 2010, EPA inspected the facility and observed a discharge of process wastewater through a man-made conveyance to a ditch which led to a water of the U.S. EPA issued an Administrative Order (AO) V-W-11-AO-05 on April 19, 2011. Since the issuance of the AO, the facility owner has installed permanent measures to prevent process wastewater from reaching the Waters of the U.S. This inspection is intended to verify the permanent measures that were installed for the intent of closing the AO. The facility does not have an NPDES permit.

2. SITE INSPECTION

Table 1: Site Entry

Arrival Time:	9:45 A.M.
Temperature:	60°F
Precipitation:	None
Presented credentials?	Yes
Credentials presented to whom and at what time?	Facility owner
EPA vehicle parked in approved location?	Yes
Location where EPA vehicle was parked?	At the front of the facility
Disposable boots worn?	Yes
Other bio-security measures taken:	None

2.1 Records Review (The following Records Review tables reflect information provided before the walk-through of the facility, unless otherwise noted.)

Table 2: Documents

Checklist(s) Used	
R5 CAFO Boilerplate Inspection Report as Checklist	
Facility Documents Reviewed:	
None	
If photographs or documents were taken, does the facility consider any to be Confidential Business Information (CBI)?	No

Table 3: Facility Description

Type of Animal	Number of Animals	Capacity	Type of Confinement
Dairy Cows-Milking	190	Full	Free Stall
Dairy Cows-Dry	35	Full	Bed Pack/Pasture
Minimum Number of Animals in previous 5 years:			Same as current numbers
Maximum Number of Animals in previous 5 years:			Same as current numbers
Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:			Same as current numbers
Amount of Liquid Manure Generated per year:			
Amount of Solid Manure Generated per year:			
(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):			None
(Illinois Only) If 1000 < AU < 5000 is a general waste management plan maintained at the facility?			N/A
(Illinois Only) If AU > 5000 has a general waste management plan been submitted to the IDOA?			N/A
Does the facility have an NPDES Permit?			No
SIC or NAICS code:			0241
CAFO Designation Date (If a designated CAFO)			
CAFO Designation Reason (If a designated CAFO)			
Do animals have direct access to WOUS?			No
Are crops, vegetation, forage growth, or post harvest residues sustained in the normal growing season over any portion of the lot or facility where animals are kept?			No
What is the area (acres) of the production area?			5 acres
What is the area (acres) of the pasture?			5 acres
How many employees (not counting family members)?			EPA did not ask
Other facilities under common ownership (name and address): None			

Table 4: Livestock Waste Storage

Type of Storage	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Pond	1.6 million gallons	Clay	No	Spring 2016	1.6 million gallons	365
Records at site of storage structure design?				EPA did not ask		

Is manure stored for the short term? If yes, describe where it is stored, how it is drained and where it drains to.	Yes. Stacked in a barn. Drains to Pond #2.
Are records kept of the level of manure in the storage structures?	EPA did not ask.
When was the last time a storage structure was emptied, either partially or completely?	Spring 2016
What amount of manure or process wastewater was removed the last time the storage structure was emptied, either partially or completely?	1.6 million gallons
Do the facility personnel inspect and keep records of all diversion devices?	Yes, but no records are kept.
Do the facility personnel inspect and keep records of all impoundments?	Yes, but no records are kept.
Do the facility personnel inspect and keep records of all the water lines?	Yes, but no records are kept.
Do the facility personnel perform routine visual inspections and keep records of the production area?	Yes, but no records are kept.
Does the waste storage system have a managed outfall or discharge point?	No
Has the facility had any documented discharges of livestock waste to surface water in the past year?	No
Are there safety devices installed around any manure storage ponds? (Barriers at the end of manure push off platforms, fences around pond, signage.)	No
Additional Information:	None

Table 5: Livestock Waste Management

Describe the way manure is collected and disposed of at the facility:	
The barns are flushed and the manure and process wastewater flows via gravity to a settling pit for solids settling. The liquid flows to the ponds. The heifer pens and dry cow lots are scraped daily and the manure is stacked in a barn. The leachate flows to a flush gutter which then goes to the settling pit and then to the pond.	
Describe the way used bedding is collected and disposed of at the facility:	
Sand is used for bedding in the freestall barn and is replenished every two weeks. Used sand is reclaimed and recycled. Leachate from the used sand pile flows to the ponds. Straw for bed packs is put in one time per week.	
Are mortality records kept?	No
Describe the way mortalities are managed at the facility:	
Mortalities are buried in the fields.	
What type of method is used to provide drinking water for the animals?	Float system drinkers are used for watering the cattle.
Describe the way spilled drinking water is collected and disposed of at the facility:	
It flows and is handled with the manure.	
Describe the way mist cooling water is collected and disposed of at the facility:	
It flows and is handled with the manure.	
Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:	
Chemicals are stored in the Milking Parlor.	
Describe the way water that has been used to wash/flush barns is collected and disposed of at the facility:	
It flows to the 1st stage manure pond.	
Describe where water comes from that is used to clean and/or flush. (Wells, city, etc.)	
City water is used for cleaning.	
Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:	
Feed is contained in a silage bunker, in bags, and in silos.	
If a dairy, describe how process wastewater from the plate cooler water is collected and disposed of at the facility:	
Plate cooler water is recycled as drinking water for the cattle.	

If a dairy, describe how process wastewater from the cleaning of the milking parlor is collected and disposed of at the facility:	
It flows and is handled with the manure.	
If a dairy, describe how process wastewater from the cleaning of the milk tanks is disposed of at the facility:	
It flows and is handled with the manure.	
If a dairy, how many times per day are cows milked?	2x

Table 6: Land Application and Disposal of Manure and Process Wastewater

Does the facility perform and keep records of the manure testing?	Yes, and manure testing is done 2x per year.
When was the last time a sample was taken of the manure and/or process wastewater?	Spring 2016
Describe the process to take the manure and/or process wastewater sample.	Mauer and Stutz sends bottle to use for taking a sample when pumping the manure.
Number of acres available for land application:	650
Are land application records kept?	Yes
Who applies the manure and process wastewater to the fields?	Facility owner. Contracts out the land application only when the manure is to be injected.
Are weather conditions at time of application kept? (24 before – 24 after)	Yes
Does the facility perform and keep records of the soil testing?	Yes, and soil testing is done every two years.
Is manure transferred off-site to another party?	Yes
Are manure transfer records maintained?	Yes
Do facility personnel perform periodic inspection of land application equipment?	Yes

Table 7: Receiving Surface Waters

Describe the surface flow pathways:	
Surface waters would flow less than a quarter of a mile to a ditch north of the facility which approximately 3.18 miles to perennial Shoal Creek.	
How many months out of the year is there flow in the nearest surface water pathway:	Only when it rains.
Are there any storm water pathways entering the facility?	No, but there are natural springs on site.
Are there any clean water ponds on site?	No
What is the name of the first waterway that is identified as a Traditional Navigable Water (TNW) for surface flow from the facility?	Shoal Creek

Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?	Intermittent
Has the surface water pathway nearest to the facility been assessed for water quality?	No

Table 8: Nutrient Management Plan
EPA did not review the Nutrient Management Plan

Table 9: Land Application Records (details of the records reviewed)
EPA did not review any land application records, but facility owner stated that phosphorus levels in fields he owns are over 300ppm, so he does not land apply manure on his own fields.

Table 10: Facility Records (details of the records reviewed)
EPA did not review any facility records.

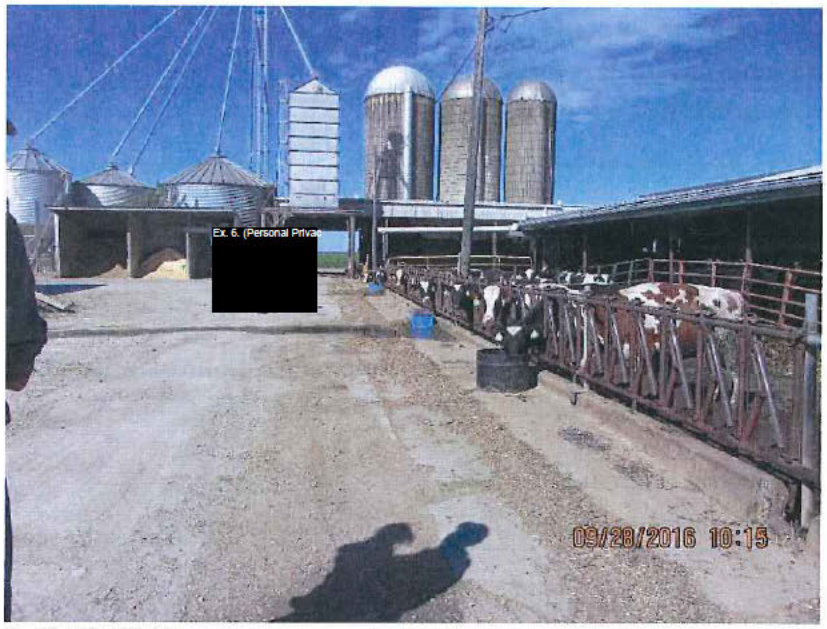
Table 11: NPDES Permit
Facility is not under an NPDES Permit.

2.2 Walkthrough of the Facility
All photos taken by Joan Rogers, Environmental Scientist/Enforcement Officer
Camera: Ricoh WG-4

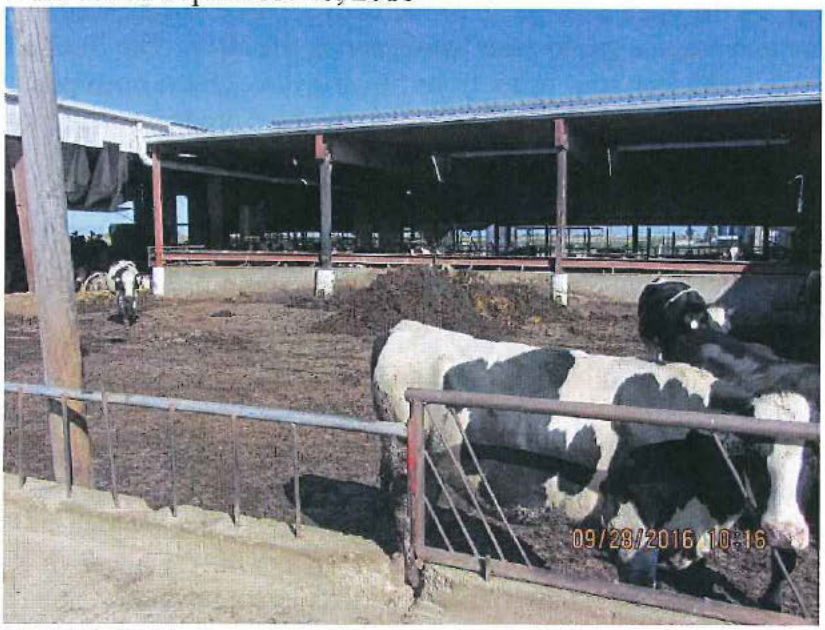
EPA began the walkthrough to the south of the Milking Parlor and north of the Equipment Barns. EPA walked west and observed the open alley south of the freestall barn. There was concrete curbing to prevent manure and process wastewater from leaving the alley. The freestall barn had gutters and downspouts that kept clean roof water from flowing through the open pen. EPA walked to the commodities building. There, EPA observed that the feed products were under the roof.

Going south around the commodities barn, EPA observed the silage bunker. The silage was well sealed with tarps, tires and lime. During a previous inspection, EPA had observed silage leachate reach a ditch which eventually transported flow to the Shoal Creek. Since that inspection, the facility owner has installed a pit to capture any silage leachate from the silage bunker area. The level of liquid in the pit is visually monitored and when the pit is full, the liquid is pumped to Pond #2.

EPA then walked north on the west side of the facility, past the silos. In a previous inspection, EPA had observed leachate from the silos leaving the silo area and flowing to a ditch which transported flow to the Shoal Creek. Since that inspection, the facility owner has installed underground piping which has its inlet at the base of the silos and outlets into a manhole. The liquid in the manhole is pumped to Pond #2.

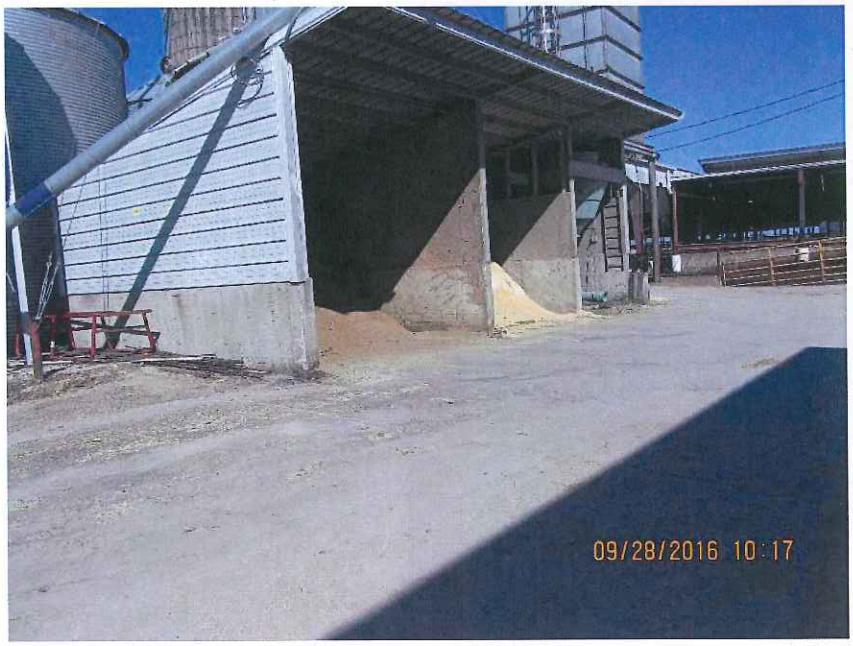


1: IMG_0103
Description: Open alley along the freestall barn has concrete curbing to prevent manure and process wastewater from leaving the pen. Commodities building in back has all commodities under roof.
Location: South of the Milking Parlor and freestall barn
Camera Direction: West
Date/Time: September 28, 2016



2: IMG_0104
Description: Manure stacking inside the pen. Gutters and downspouts divert clean roof water away from open pen.
Location: South of freestall barn
Camera Direction: North
Date/Time: September 28, 2016

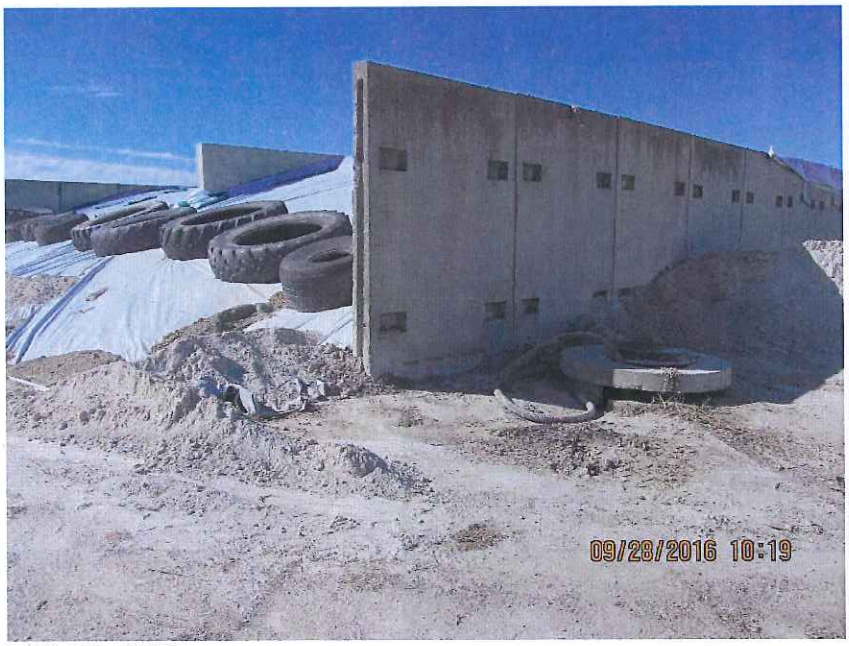
3: IMG_0105
Description: Overhead gutter diverts water from the open pen.
Location: South of freestall barn
Camera Direction: North
Date/Time: September 28, 2016



4: IMG_0106
Description: Commodities building. All feed products are maintained under roof.
Location: Southeast of commodities building
Camera Direction: Northwest
Date/Time: September 28, 2016

5: IMG_0107
Description: Leachate from the silage bunker would flow from this corner to a pit.
Location: Northeast corner of silage bunker
Camera Direction: South
Date/Time: September 28, 2016

6: IMG_0108
Description: Pit collects silage leachate. Facility owner visually inspects pit for level process wastewater in the pit and when full, it is pumped out.
Location: Northeast corner of silage bunker
Camera Direction: West
Date/Time: September 28, 2016



7: IMG_0109
Description: Overview of the silage bunker and the pit that collects the silage leachate.
Location: Northeast corner of silage bunker
Camera Direction: Southwest
Date/Time: September 28, 2016

8: IMG_0110
Description: A spring leaks water from the ground to the base of the silos.
Location: Silos on west side of facility
Camera Direction: Southeast
Date/Time: September 28, 2016

9: IMG_0111
Description: Spring water flows over the ground near the silos.
Location: Silos on west side of facility
Camera Direction: Northwest
Date/Time: September 28, 2016

10: IMG_0112
Description: Any process wastewater from the silos goes into inlets at the base of the silos and from there it is piped underground to a manhole.
Location: Silos on west side of facility
Camera Direction: East/down
Date/Time: September 28, 2016

11: IMG_0113
Description: Another inlet for piping that transports process wastewater to a manhole.
Location: Silos on west side of facility
Camera Direction: North/down
Date/Time: September 28, 2016

12: IMG_0114
Description: Process wastewater from the silos is piped underground to this manhole. From the manhole, the process wastewater is then piped to Pond #2.
Location: West of silos on the west side of the facility
Camera Direction: West
Date/Time: September 28, 2016

On the north side of the facility, EPA observed that a former open pen had been decommissioned. The slope of the ground in this area was to the north and any manure or process wastewater would flow with precipitation to Pond #2. This included any process wastewater from the solids manure stacking that was located in the barn at the northwest corner of the facility.

A stack of reclaimed sand was drying in the open, but again, any leachate of process wastewater from the sand pile would flow to Pond #2. EPA noted that there was more than two feet of freeboard in both Pond #2 and Pond #1. The berms of the ponds were well maintained on the day of the inspection.

EPA concluded the walk-through by walking south along the east side of the facility. EPA did not observe any areas of concern during the inspection.

13: IMG_0115
Description: Feed mixer kept in barn. There was formerly an outdoor pen to the left of this barn. The pen has been decommissioned.
Location: West side of facility
Camera Direction: East
Date/Time: September 28, 2016

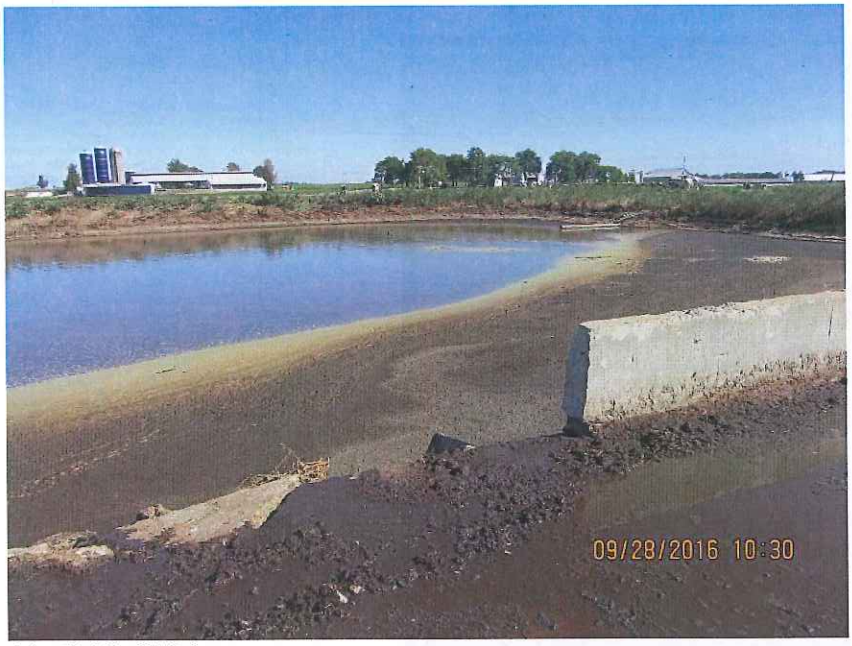
14: IMG_0116
Description: Decommissioned pen on the left hand side of the photo. Process wastewater from the concreted areas would flow with precipitation to Pond #2.
Location: Northwest corner of the facility
Camera Direction: West
Date/Time: September 28, 2016

15: IMG_0117
Description: Process wastewater from this concreted area would flow with precipitation to Pond #2.
Location: Northwest corner of the facility
Camera Direction: Northeast
Date/Time: September 28, 2016

16: IMG_0118
Description: Recycled sand is stacked on the concrete to dry. Process wastewater from the sand would flow to Pond #2.
Location: South of Pond #2
Camera Direction: North
Date/Time: September 28, 2016

17: IMG_0119
Description: Gutter inside barn collects manure and process wastewater from the barn.
Location: West side of barn south of manure ponds
Camera Direction: South
Date/Time: September 28, 2016

18: IMG_0120
Description: Manure Pond #2 had sufficient freeboard on the day of the inspection.
Location: South of Manure Pond #2
Camera Direction: Northwest
Date/Time: September 28, 2016



19: IMG_0121
Description: Manure Pond #2 had sufficient freeboard on the day of the inspection.
Location: South of Manure Pond #2
Camera Direction: Northeast
Date/Time: September 28, 2016

20: IMG_0122
Description: Solids stacking inside barn at the northwest corner of the facility. Leachate would flow to Pond #2.
Location: Northwest corner of the facility
Camera Direction: West
Date/Time: September 28, 2016

21: IMG_0123
Description: Pond #1.
Location: South of Pond #1
Camera Direction: Northeast
Date/Time: September 28, 2016

22: IMG_0124
Description: Cows in the pasture to the north and east of the manure ponds.
Location: Southeast of manure ponds
Camera Direction: North
Date/Time: September 28, 2016

2.3 Closing Conference and Post-Inspection

Table 12: Post Walk-Through

Were specific "Potential Violations" discussed with facility personnel?	None observed.
Were specific "Areas of Concern" discussed with facility personnel?	None observed.
Who were the Potential Violations or Areas of Concern discussed with?	N/A
Compliance assistance materials given to facility personnel:	
Concentrated Animal Feeding Operations Final Rulemaking – Fact Sheet	
U.S. EPA Small Business Resources Information Sheet	
NRCS Most Common Conservation Practices for Confined Livestock Fact Sheet	
Environmental Quality Incentives Program (EQIP) Brochure	
Exit Time:	10:45 A.M.
Disposable Boots Left at Facility?	Yes
Vehicle Washed after leaving facility?	Yes
Date and Time that vehicle was washed:	September 28, 2016 at 6:00P.M.

Table 13: Waterway Documentation
EPA observed the ditch adjacent to the facility. It was dry and EPA did not observe any pathways from the facility to the ditch.

Table 14a: Sampling Information
EPA did not take any samples.

3. POTENTIAL VIOLATIONS

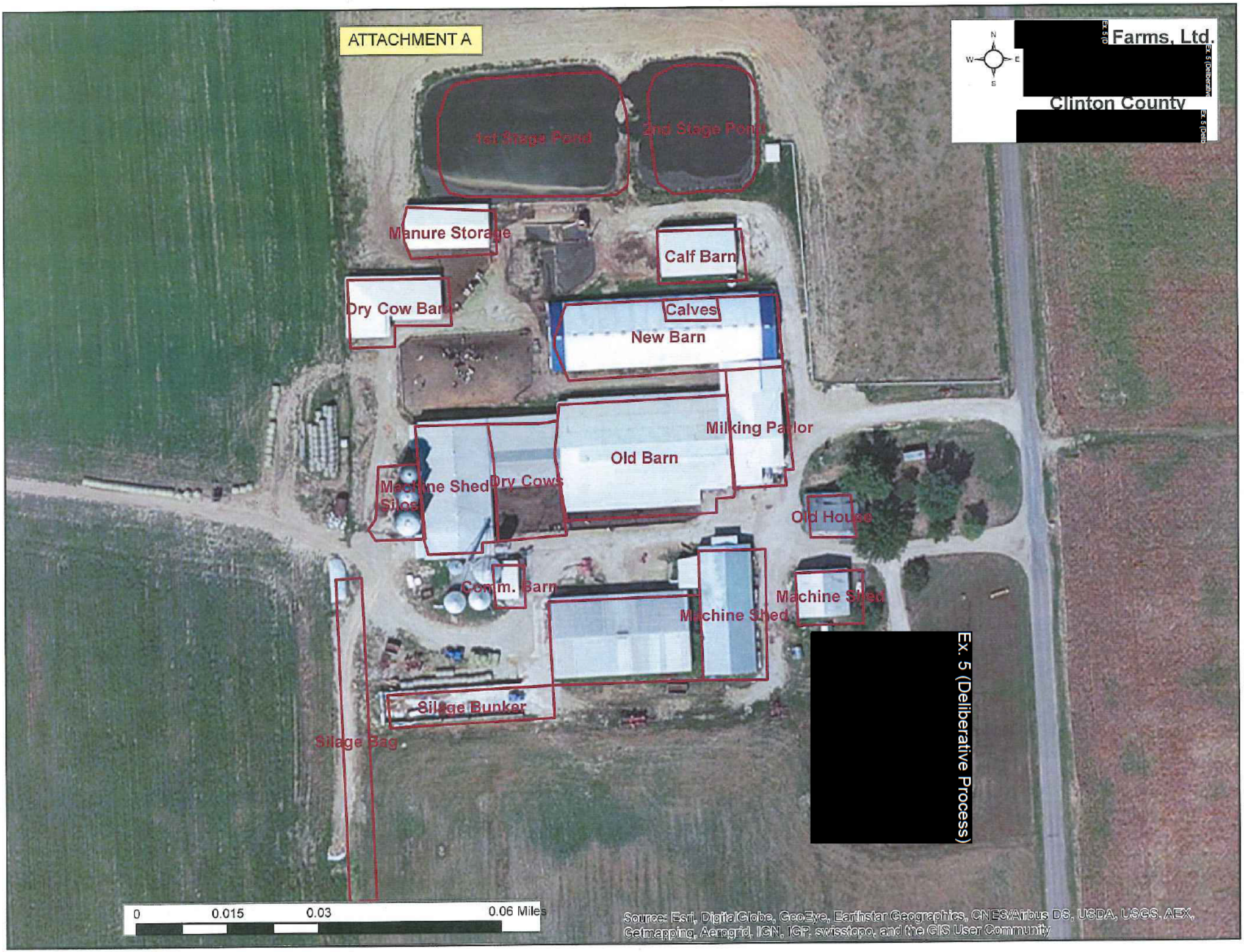
According to Section 301(a) of the Clean Water Act, it is a violation to discharge pollutants from a CAFO to waters of the United States without a permit. EPA did not observe any potential discharges.

4. AREAS OF CONCERN

EPA did not observe any areas of concern whereby pollutants have the potential to reach waters of the United States.

5. LIST OF ATTACHMENTS

A) Aerial photograph of [redacted] Farm with buildings labeled.


ATTACHMENT A
[redacted] Farms, Ltd.
Clinton County
1st Stage Pond
2nd Stage Pond
Manure Storage
Calf Barn
Dry Cow Barn
Calves
New Barn
Milking Parlor
Old Barn
Machine Shed
Silos
Dry Cows
Old House
Comm. Barn
Machine Shed
Machine Shed
Silage Bunker
Silage Bag
Ex. 5 (Deliberative Process)
0
0.015
0.03
0.06 Miles
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community